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PTO/SB/31 (04-05)

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional)  03-0431.01	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>June 13, 2005</u> Signature <u></u> Typed or printed name <u>George P. Kobler</u>		In re Application of <u>Thomas Seth BELCHER, et al</u>	
		Application Number <u>10/627,440</u>	Filed <u>07/25/2003</u>
		For <u>A Portable, Adaptable Drawing Surface for Strategy Games</u>	
		Art Unit <u>3712</u>	Examiner <u>Mendiratta</u>
Applicant hereby <b>appeals</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))		\$ <u>500.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>250.00</u>	
<input checked="" type="checkbox"/> A check in the amount of the fee is enclosed.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>                                </u> . I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
<b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>			
I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>George P. Kobler</u> Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>46,837</u>		<u>256-535-1100</u> Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34. <u>                                </u>		<u>June 13, 2005</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
Belcher, Thomas S., *et al*

App. Serial No. :10/627,440

Filed: July 25, 2003

Title: *A Portable, Adaptable Drawing Surface  
for Strategy Games*

Examiner: Mendiratta, Vishu K.

Art Unit: 3712

NOTICE OF APPEAL/PETITION UNDER 37 C.F.R. §1.136

Honorable Commissioner of  
Patents and Trademarks  
Washington, D.C. 20231

Honorable Commissioner:


Pursuant to 37 CFR § 1.191, Applicant hereby submits this Notice of Appeal of the Office's Final Rejection mailed February 11, 2005. Pursuant to 37 CFR § 1.136, Applicant hereby requests an extension of time to file such Notice. As grounds therefor, Applicant states that it timely filed on April 11 2005, a response to the final rejection. Examiner issued an Advisory Action on May 17, 2005, more than thirty days after the filing of Applicant's response. In the Advisory Action, Examiner set the time for response for three months from the mailing date of the Final Rejection, however, the Advisory Action was mailed beyond the three month period, not permitting Applicant time in which to file a Notice of Appeal.

Included herewith is a check in the amount of \$1,045.00 in payment of fees relating to a Request for extension of time to reply within the fourth month, and to filing a

Notice of Appeal. If it is determined that further fees are required, the Commissioner is hereby authorized to charge Deposit Account # 50-0868 for any shortfall.

Respectfully submitted,

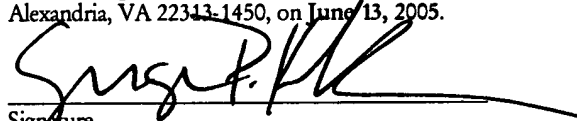
June 13, 2005

  
George P. Kobler  
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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope address to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 13, 2005.

  
Signature

George P. Kobler